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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.   | CONFIRMATION NO. |
|---|-------------|----------------------|-----------------------|------------------|
| 09/940,898  | 08/29/2001  | Tai-Her Yang         | YANG3064/EM/7181      | 5617             |
| 7590  | 09/07/2004  |                      | EXAMINER              |                  |
| BACON & THOMAS<br>4th Floor<br>625 Slaters Lane<br>Alexandria, VA 22314 |             |                      | DEBERADINIS, ROBERT L |                  |
|   |             |                      | ART UNIT              | PAPER NUMBER     |
|   |             |                      | 2836                  |                  |

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |  |                         |  |
|------------------------------|--|-------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b>                 | <b>Applicant(s)</b>     |  |
|                              | 09/940,898                             | YANG, TAI-HER           |  |
|                              | <b>Examiner</b><br>Robert DeBerardinis | <b>Art Unit</b><br>2836 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 16 June 2004.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 7-9, 12, 13 and 18 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 7-9, 12, 13 and 18 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 29 August 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

|  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of claims 7-9, 12, 13, 18 in the reply filed on 6/16/04 is acknowledged.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 7, 12, 13 are rejected under 35 U.S.C. 102(b) as being anticipated by EWING 5,180,964.

Regarding claim 7.

EWING discloses a circuit for generating power in a DC pulsating power supply, at the moment DC pulsating power that is being delivered is suspended, comprising:

A source of pulsating DC power (figure 19A, voltage across inductance 52);

An induction device (52) being connected between the source of pulsating DC power and a load (37), said induction device being arranged to discharge to the load when the pulsating power is suspended (column 2, lines 10-15).

Regarding claim 12.

EWING discloses wherein the induction device is an inductor connected in parallel between the source of pulsating DC power and the load (figure 19A, inductor device 52).

Regarding claim 13.

EWING discloses a circuit for generating power in a DC pulsating power supply further comprising a resistor (figure 2, Ros) connected in series with the inductor ( figure 2, inductor 12).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 9 rejected under 35 U.S.C. 103(a) as being unpatentable over EWING 5,180,964.

Regarding claim 8.

EWING discloses wherein the inductive device (52) is in the primary.

EWING does not teach the inductive device to be in the secondary.

The Examiner takes official notice. The turns ration characteristics of a transformer are well known in the art and the relationship between the number of turns of an inductor related to the value of its inductance is also well known.

It would therefore be obvious to one having ordinary skill in the art at the time of this invention to generate the inductance required in the secondary. The motivation would be to use the side with the greatest number of turns to generate the maximum inductance (for example a step-up transformer would have the greater number of turns on its secondary therefore it would be obvious to have the secondary generate the required inductance).

Regarding claim 9.

EWING discloses a circuit for generating power in a DC pulsating power supply as claimed in claim 8.

EWING discloses a resistor connected in series with the secondary winding (figure 6, R4).

Any inquiry concerning this communication should be directed to Robert L. DeBerardinis whose number is (571) 272-2049. The Examiner can normally be reached Monday-Friday from 8:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Brian Sircus, can be reached on (571) 272-2058. The Fax phone number for this Group is (703) 872-9306.

RLD

AUGUST 26, 2004



ROBERT L. DEBERARDINIS  
PRIMARY EXAMINER